

IN RE: PETITION FOR ZONING VARIANCE
E/S Bladen Road, 81' N of the
c/l of Hopewell Avenue
(35 Bladen Road)
15th Election District
5th Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY

Rosa J. Crist
Petitioner

* Case No. 89-125-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit an accessory structure (shed) to be located 3" from the side property line in lieu of the required 2 and 1/2 feet, and 13 feet from the centerline of an alley in lieu of the required 15 feet, as more particularly described in Petitioner's Exhibit 1.

The Petitioner appeared and testified. David M. Yost appeared and testified in opposition.

Testimony indicated that the subject property, known as 35 Bladen Road, is zoned D.R. 10.5 and is currently improved with a single family townhome. Petitioner had erected a storage shed approximately 10 years ago without a building permit. The shed is located in the rear yard along the side property line. As a result of a complaint filed by Mr. Yost, the adjacent neighbor, the Petitioner filed the instant variance requesting relief to allow the shed to remain. Mrs. Crist testified that she does not want to move the shed. That she is requesting the variance to save money and time.

Testimony and evidence presented by Mr. Yost indicated that the site distance for traffic using the alley is impaired by the shed and results in an unsafe condition for motorists using the alley for ingress and egress to their homes. In support of his claim, Protestant submitted

photographs, identified as Protestant's Exhibit 1, which show the location of the shed and its interference with site distance. Further, due to the high volume of traffic using the alley, Mr. Yost believes the shed poses a hazardous condition for children playing in the area.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, there is insufficient evidence to allow a finding that the Petitioner would experience practical difficulty or unreasonable hardship if the requested variance were denied. The testimony presented by Mrs. Crist was in support of a matter of preference rather than of the necessity for the variance. There is no practical reason why the shed cannot be properly placed on the land. The Petitioner has failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the requested variance to permit a 13-foot setback from the centerline of the alley must be denied. The 3" side yard setback

does not cause any harm and would result in practical difficulty to the Petitioner. To require the shed to be moved 2 and 1/2 feet from the side property line would result in the shed overlaying the existing concrete parking pad.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of October, 1988 that the Petition for Zoning Variance to permit an accessory structure (shed) to be located 3" from the side property line in lieu of the required 2 and 1/2 feet, and 13 feet from the centerline of an alley in lieu of the required 15 feet, as more particularly described in Petitioner's Exhibit 1, be and is hereby DENIED, and,

IT IS FURTHER ORDERED that the shed be moved to meet the required 15-foot setback from the centerline of the existing alley. Said relocation of the shed must be accomplished by no later than January 30, 1989.

JRH:bjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

October 27, 1988



Dennis F. Rasmussen
County Executive

Ms. Rosa J. Crist
35 Bladen Road
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCE
E/S Bladen Road, 81' N of the c/l of Hopewell Avenue
(35 Bladen Road)
15th Election District - 5th Councilmanic District
Rosa J. Crist - Petitioner
Case No. 89-125-A

Dear Ms. Crist:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner for
Baltimore County

JRH:bjs

cc: Mr. David Yost
35 Bladen Road
Baltimore, Maryland 21221

People's Counsel

File

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 and 400.2 to permit an accessory building (shed) 3" to the side property line and 13' to the centerline of an alley in lieu of the required 24' and 15' respectively.

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
- (1) Due to the size and weight of the shed we would have to hire someone with the proper equipment to move said shed.
 - (2) The Blacktop under the shed would have to be repaved. Since we live on a fixed income this would add an additional financial burden.
 - (3) If the shed is moved, it would eliminate the parking in the rear of our home. Mr. Crist has a heart condition which makes this parking a necessity.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____

Legal Owner(s): _____

Elmer E. Crist (Decedent) per JRN

Signature _____

Signature _____

Address _____

City and State _____

Attorney for Petitioner: _____

35 Bladen Road 686-5968

Address _____

Baltimore, Maryland 21221

City and State _____

Signature _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Address _____

City and State _____

Name _____

Address _____

City and State _____

Attorney's Telephone No.: _____

Phone No. _____

Address _____

City and State _____

Attorney's Telephone No.: _____

Phone No. _____

Address _____

City and State _____

Attorney's Telephone No.: _____

Phone No. _____

Address _____

City and State _____

PETITION FOR ZONING VARIANCE

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I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): _____

Elmer E. Crist

(Type or Print Name)

Signature _____

Signature _____

Address _____

City and State _____

Attorney for Petitioner: _____

35 Bladen Road 686-5968

Address _____

Baltimore, Maryland 21221

City and State _____

Signature _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Address _____

City and State _____

Name _____

Address _____

City and State _____

Attorney's Telephone No.: _____

Phone No. _____

Address _____

City and State _____

Attorney's Telephone No.: _____

Phone No. _____

Address _____

City and State _____

Attorney's Telephone No.: _____

Phone No. _____

Address _____

City and State _____

Attorney's Telephone No.: _____

Phone No. _____

Beginning on the East Side of Bladen Road, 60 feet wide, at the distance 81 feet North of the centerline of Hopewell Avenue. Being Lot 19, Block B, in the subdivision of Country Ridge. Book Number 23, Folio 53. Also known as 35 Bladen Road in the 15th Election District.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 15th

Posted for: Variance

Petitioner: Elmer E. Crist et al.

Location of property: E/S Bladen Rd., 81' N of Hopewell Rd.

Location of Sign: 35 Bladen Rd.

Remarks: On property of Petitioner

Posted by: Matthew

Date of return: 9/23/88

Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept. 19, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept. 15, 1988.

\$ 37.50

PO # 04212

RGH# MB985

THE JEFFERSONIAN,

S. Zate O'Brien

Publisher

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: _____

Mr. & Mrs. Elmer E. Crist
35 Bladen Road
Baltimore, Maryland 21221

Re: Petition for Zoning Variance
Case Number 89-125-A

Dear Mr. & Mrs. Crist:

Please be advised that _____ is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

JRH:gs
cc: File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

September 8, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-125-A
E/S Bladen Road, 81' N c/l Hopewell Avenue
(35 Bladen Road)
15th Election District - 5th Councilmanic
Petitioner(s): Elmer E. Crist, et ux
HEARING SCHEDULED: THURSDAY, OCTOBER 13, 1988 at 9:00 a.m.

Variance to permit an accessory building (shed) 3' to the side property line and 13' to the centerline of an alley in lieu of the required 24 feet and 15 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
cc: Mr. & Mrs. Crist
Chesapeake Bay Critical Area Commission
File

89-125-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
10th day of August, 1988.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Elmer E. Crist
Petitioner's
Attorney

Received by: _____
Chairman, Zoning Plans
Advisory Committee

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

August 18, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Re: Property Owner: Elmer E. Crist, et ux

Location: E/S Bladen Road, 81' N of c/l of Hopewell Avenue

Item No.: 5

Zoning Agenda: Meeting of 8/9/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

(X) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *CH. H. Reincke* 8-18-88 Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/j1

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 30, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. Elmer E. Crist
35 Bladen Road
Baltimore, Maryland 21221

RE: Item No. 5 - Case No. 89-125-A
Petitioner: Elmer E. Crist, et ux
Petition for Zoning Variance

MEMBERS

Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

Dear Mr. & Mrs. Crist:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 406
Towson, Maryland 21204
494-3554

August 24, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 480, 511, 12, 13, 15, 16, 17, 18, 19, 20, 21, 23, 25, 26, 28, 29, 31, 32, 33, 36, 37, 38, 39 and 40.

Very truly yours,

Stephen E. Weber
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SDW/RF/lab

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner

DATE: August 16, 1988

FROM: Mr. Robert W. Sheesley

SUBJECT: Christ Property - 35 Bladen Road
Zoning Variance - Item #3

Subject property is located on the east side of Bladen Road between Holly Road and Homberg Avenue.

The site is not within the Chesapeake Bay Critical Area, therefore, Critical Area law does not apply.

Please contact Mr. David C. Flowers at 494-3780 if you have any questions.

Robert W. Sheesley
Robert W. Sheesley, Director
Department of Environmental Protection
and Resource Management

RWS:DCF:tgj

Attachment

RECEIVED
AUG 18 1988

ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
Zoning Commissioner

Date: October 12, 1988

TO: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Zoning Petition Nos. 89-120-A (Valley Ltd.); 89-122-A (C. Weiner);
89-125-A (Crist); 89-127-A (Brown); 89-129-A (Lewis); 89-130-A (Reeder);
89-131-A (Markert); 89-132-A (Sunderland); 89-134-X (Zink)

The Office of Planning and Zoning has no comment on the above listed projects.

PK/sf

RECEIVED ZONING OFFICE
DATE: 10/14/88

RECEIVED

10/14/88

Date:



Dennis F. Rasmussen
County Executive

Dear Mr. & Mrs. Crist:

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED
ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

er of

QA-125A

NAME
ROSA J CRIST

35 BLADEN RD

49-125A

Donald M. Ford

33 BLINDEN RD 21221

IN THE MATTER OF : IN THE CIRCUIT COURT
REVAL ENTERPRISES, INC. : FOR BALTIMORE COUNTY
: CASE NO. 89-CR-1970

OPINION

This case comes before the Court on appeal from an order of the County Board of Appeals of Baltimore County (hereinafter called 'the Board') denying appellant, Reval Enterprises, Inc.'s request for a zoning variance. This variance was initially granted by the Zoning Commissioner and subsequently reversed by the Board on May 9, 1989. Appellant seeks a variance to permit a window to tract boundary of 6 feet in lieu of the required 35 feet, a building to tract boundary of 6 feet in lieu of the required 30 feet, and a window to property line of 6 feet in lieu of required 15 feet.

Appellant is the owner of an eight acre tract of land off of Lake Avenue in Baltimore County. In 1987, appellant purchased this property for a commercial venture. The land was subsequently subdivided into seventeen lots each averaging approximately 18,000 square feet. Located on lot fourteen is a manor house and an accessory garage. This appeal concerns the accessory five bay garage that has been in existence for the past fifty-two years. The record reflects testimony to the effect that the second floor of this garage was intermittently used for residential purposes but

such use ceased in 1982. Appellant is constructing a community of homes with a Williamsburg motif. At the initial County Review Group (CRG) process, appellant indicated its intent to tear down the garage and replace it with a structure that would conform with its proposed plans.

However, this idea of razing the garage was later abandoned by appellant. Appellant with the advice of its architect, Mr. Kennedy, and its engineer determined that the garage was a very substantial building with a replacement value of over \$200,000.00 and could in fact fit into the Williamsburg theme without razing the structure. Based on these facts, appellant sought a variance that would enable it to retain the existing garage, increase the size of it and convert it into a residence. Appellant contends that to deny such a variance would in effect impose an unreasonable hardship and practical difficulty on it. The transcript of the Board hearing reveals the testimony and concerns of several abutting land owners whose properties they alleged will be adversely affected by the granting of the requested variance.

The scope of review by this Court of the Board's decision is limited. "The substantiality of the evidence is the common denominator of the scope of judicial review with respect to all administrative agencies." Balto. Lutheran High School V. Employment Security Administration. 302 Md. 649, 661 (1985).

-2-

The substantial evidence standard of review requires only that the reviewing court examine the agency's decision to determine whether reasoning minds could reasonably reach that conclusion by direct proof or by permissible inference from the facts and the record before the agency. Vavasori V. Commission on Human Relations, 65 Md. App. 237, 251 (1985).

The reviewing court also "must review the agency's decision in the light most favorable to the agency, since decisions of administrative agencies are prima facie correct and carry with them the presumption of validity." Bullock V. Pelham Wood Apts., 283 Md. 505, 513 (1978).

In reviewing the decision of the Board, it must be kept in mind that "[t]he standard for granting a variance . . . is . . . whether strict compliance with the regulations would result in 'practical difficulty or unreasonable hardship'; and that it should be granted only if in strict harmony with the spirit and intent of the zoning regulations; and only in such manner as to grant relief without substantial injury to the public health, safety and general welfare." McLean V. Soley, 270 Md. 208, 213 (1973).

In limiting the scope of inquiry to whether the decision of the Board is fairly debatable, this Court "may not substitute its judgment for that of the Board. The Court is to determine only whether a reasoning mind could have reached the conclusion reached by the Board." Cicala V.

-3-

Disability Review Board, 268 Md. 254, 260 (1980).

The Court will affirm the Board's decision to deny appellant's request for a variance.

In order to adequately review the Board's ruling the Court must consider the standard the Board used to deny appellant's request for a variance. The Board in its decision stated that it was guided by Section 307.1 of the Baltimore County Zoning Regulation. This section authorizes the Board to grant variances:

... only in cases where strict compliance with the zoning regulation for Baltimore County would result in practical difficulty or unreasonable hardship. . . . Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of zoning regulations; and only in such a manner as to grant relief without substantial injury to public health, safety and general welfare.

While the Board concedes that there could be an unreasonable hardship involved to the appellant, it nonetheless felt that any hardship was self-created. This was not a finding of unreasonable hardship and the record does not support a finding of unreasonable hardship. In rendering its decision, the Board focused on the potential injuries to the general welfare of the neighborhood that would result from the converted use of the garage with the proposed addition. The Board cited the problem that would arise if it permitted this large addition to be built. The Board stated "that to increase the size of the building

-4-

as proposed and to convert its use from a five-car garage to a completely residential use would indeed create injury to the general welfare of the neighborhood. The large addition with its increased impermeable surface and those impermeable surfaces normally associated with residential use would increase run-off and the detriment to the neighbor's enjoyment of their properties. . . ."

In McLean v. Soley, 270 Md. 208, 214 (1973), the Court of Appeals defined the criteria for determining when a 'practical difficulty' exists under Section 307:

- 1) Whether compliance with the strict letter of the restriction governing area, set backs, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restriction unnecessarily burdensome.
- 2) Whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.
- 3) Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

The Court of Appeals has found 'practical difficulty' to exist where compliance with the regulation would prevent the appellant from using the property or would render conformity with such restriction unnecessarily burdensome.

-5-

The Board found no evidence that indicated appellant is prevented in any way from using his property. Appellant's only contention is that it will not make practical sense to tear down a \$200,000.00 building and replace it with a new one that conforms. This Court is of the opinion that while it may be more expensive to rebuild a structure that conforms to the zoning regulations, this cost certainly is not prohibitive and doesn't constitute an 'unnecessary burden'. It suggests only that a smaller profit may be realized on Lot 14.

Upon a review of the evidence before the Board, the Court finds that the Board applied the appropriate standard and committed no error of law. There was substantial evidence before the Board to support its findings and conclusions. The issue is at least fairly debatable and, therefore, the Court will not disturb the Board's decision. Accordingly, the decision of the Board is AFFIRMED.

J. WILLIAM HINKEL
JUDGE

Dated: January 31, 1990

JWH/lg
cc: Thomas N. Biddison, Jr., Esq.
Gallagher, Evelius & Jones
218 N. Charles Street, Suite 400
Baltimore, Maryland 21201
J. Carroll Holzer, Esq.
Holzer, Maher & Demilio
395 W. Chesapeake Ave., Suite 105
Towson, Maryland 21204

County Board of Appeals of Baltimore Co.
County Office Building, Room 315
Towson, Maryland 21204

-6-

IN THE MATTER OF :
THE APPLICATION OF :
REVAL ENTERPRISES, INC. : COUNTY BOARD OF APPEALS
FOR ZONING VARIANCES ON PROPERTY :
LOCATED ON THE NORTHEAST SIDE OF : OF
DEMBEIGH CIRCLE, 600' NORTH OF THE : BALTIMORE COUNTY
CENTERLINE OF LAKE AVENUE :
9th Election District : CASE NO. 89-126-A
4th Councilmanic District :

OPINION

This case comes before this Board on appeal from a decision by the Zoning Commissioner granting the Petition for Variances to permit a window to tract boundary of 6 feet in lieu of the required 35 feet, a building to tract boundary of 6 feet in lieu of the required 30 feet, and a window to property line of 6 feet in lieu of required 15 feet. The case was heard this day in its entirety.

In this Opinion, the Board will clarify certain issues prior to their consideration of testimony. The Board will especially note in the Zoning Commissioner's Order that there were no protestants at his hearing and that all the testimony and evidence presented at that hearing was uncontradicted. There was testimony at this hearing that the many neighbors appearing in protest had seen no sign on the property and cited this as their reason for not appearing before the Zoning Commissioner. The Board is therefore of the opinion that the Zoning Commissioner had before him only one side of the case while the Board has many abutting neighbors rebutting the testimony of the Petitioner.

The Board will also note that the building in question is a five-car garage erected in 1938 whose purpose was to act as an accessory building to the original residence on the property, commonly referred to as "the mansion." There was also testimony that the second floor of this garage was intermittently used for residential purposes. There was testimony that no residential use of this second floor of the garage has occurred since 1982. The Board is therefore

Case No. 89-126-A
Reval Enterprises, Inc.

of the opinion that if the use of the existing building remains strictly a garage use with no residential use, the building can remain in its present state. Any potential claim for a nonconforming use of the second floor or any part of the garage as a residence has lapsed and is therefore moot.

Robert Voelkel, the property owner, testified that he bought the property in 1987 and subdivided it into 17 lots averaging 18,000 square feet in area. He testified that his original plan was to completely raze this building. In retrospect and upon advice from his engineer, he changed his mind and is now petitioning to raze the addition shown on Zoning Commissioner's Exhibit No. 1 and to add an addition 29 feet by 36 feet and to convert the entire structure into residential use.

Samuel Shockley, Civil Engineer, testified that he developed this plan especially to retain the trees and shrubs and to retain the existing building which would be in keeping with the neighborhood and its Williamsburg motif. He further noted that this building has been in existence more than 50 years.

Shannon Kennedy, an architect, testified as to his design of this land use and the desirability of retaining the building.

Appearing for protestants was Ms. Jane Mace of 6006 Lakehurst Drive, whose back yard is very near to the subject site. She testified that her property suffers from water run-off from this building and that her back yard is wet and getting worse.

Ms. Helen Whiting, 6000 Lakehurst Drive, whose property directly abuts this site, reiterated Ms. Mace's testimony. She further testified that the last anyone used the upstairs apartment in the garage was in 1982, and that when she moved there, it was strictly used as a garage.

Case No. 89-126-A
Reval Enterprises, Inc.

Richard Butchok, 6005 Lakehurst Drive, testified as a representative of the local community association that was opposed to the renovation of this garage and its proposed residential use.

Allen Blum, 6002 Lakehurst Drive, whose property abuts the subject site directly to the east, testified at length as to the serious run-off problems this building creates, and his extreme objection to its conversion to strictly residential use, and his fears that the addition as proposed could only increase his run-off problems.

James S. Patton, a registered Professional Engineer, testified in support of the Protestants' case and noted the various changes that have taken place from the original plan up and through the present plan. This concluded testimony in this case and the record will speak for itself as to the detailed testimony received by this Board.

In order to grant an area variance, the Board is guided by Section 307.1. Section 307.1 mandates several things. A variance can be granted where strict compliance would result in practical difficulty or unreasonable hardship. While the continued use of this building strictly as a garage could result in practical difficulty, any unreasonable hardship involved is self-created. Section 307.1 further mandates that any such variance shall be granted only in such matters as to grant relief "without substantial injury to public health, safety and general welfare. They shall have no power to grant any other variances." It is the opinion of this Board that to increase the size of the building as proposed and to convert its use from a five-car garage to a completely residential use would indeed create injury to the general welfare of the neighborhood. The large addition with its increased impermeable surface and those impermeable surfaces normally associated with residential use would

Case No. 89-126-A
Reval Enterprises, Inc.

increase the run-off and the detriment to the neighbors' enjoyment of their properties, and therefore the variances shall be denied and this Board will so order.

ORDER

It is therefore this 9th day of May, 1989 by the County Board of Appeals of Baltimore County ORDERED that the Petition for Variances to permit a window to tract boundary of 6 feet in lieu of the required 35 feet, a building to tract boundary of 6 feet in lieu of the required 30 feet, and a window to property line of 6 feet in lieu of required 15 feet be and the same is DENIED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett, Chairman

Arnold G. Foreman

Harry E. Buchheister, Jr.

IN RE: PETITION FOR ZONING VARIANCE
NE/S Dembeigh Circle, 600' N
of the C/L of Lake Avenue
(912 West Lake Avenue)
9th Election District
4th Councilmanic District
Reval Enterprises, Inc.
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 89-126-A
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit a window to tract boundary of 6 feet in lieu of the required 35 feet, a building to tract boundary of 6 feet in lieu of the required 30 feet, and a window to property line of 6 feet in lieu of the required 15 feet, for the proposed reconstruction of an existing dwelling, as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Robert E. Voelkel, Jr., President, and R. Emmett Voelker, II, appeared and testified. Also appearing on behalf of the Petition was Thomas N. Biddison, and Samuel Shockley. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

ORDER RECEIVED FOR FILING
Date 10/10/88
By [Signature]

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of October, 1988 that the Petition for Variance to permit a window to tract boundary of 6 feet in lieu of the required 35 feet, a building to tract boundary of 6 feet in lieu of the required 30 feet, and a window to property line of 6 feet in lieu of the required 15 feet, for a proposed dwelling addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioner shall not allow or cause the proposed reconstruction of an existing dwelling to be converted to a second dwelling unit and/or apartment.
- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 10/10/88
By [Signature]

JRH:bjs

-2-

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

October 20, 1988

Mr. Robert E. Voelkel, Jr., President
Reval Enterprises, Inc.
912 West Lake Avenue
Baltimore, Maryland 21210

RE: PETITION FOR ZONING VARIANCE
NE/S Dembeigh Circle, 600' N of the C/L of Lake Avenue
(912 West Lake Avenue)
9th Election District - 4th Councilmanic District
Reval Enterprises, Inc. - Petitioner
Case No. 89-126-A

Dear Mr. Voelkel:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: Mr. Sam Shockley
Development Engineering Consultants, Inc.
6603 York Road, Baltimore, Maryland 21212

People's Counsel
File

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2.C.6 (V.B.5.a., V.B.5.b., V.B.5.c., S.M.D.P.)

to permit a window to tract boundary of 6' in lieu of the boundary of 35' and window to property line of 6' in lieu of the required 35', 30' and 15' respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

- 1) Developer wishes to retain existing 1 1/2 story dwelling on Lot #14 in lieu of razing and constructing new dwelling.
- 2) Building existed prior to resubdivision of land.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

N/A
(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

REVAL ENTERPRISES, INC.
ROBERT E. VOELKEL, JR., PRESIDENT

Signature

(Type or Print Name)

Signature

912 West Lake Ave. (301) 377-5858

Address Phone No.

Baltimore, MD 21210

City and State

Name, address and phone number of Negotiators who executed and are to be contacted

DEVELOPMENT ENGR'G CONSULTANTS, INC.

STEVEN J. EADER

6603 YORK ROAD (301) 377-2600

BALTIMORE, MD Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day

of August, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of October, 1988, at 9 o'clock

P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

Development Engineering Consultants, Inc.
Site Engineers & Surveyors

DESCRIPTION

LOT #14 DEMBEIGH CIRCLE LOCATED IN THE 9TH ELECTION DISTRICT OF BALTIMORE COUNTY.

Beginning for the same at a point on the south 5 degrees, 15 minutes, 39 seconds East, 68.00 foot line, said point being known as point number 23 as recorded on a plat entitled "First Amended Plat of Dembeigh Hill" recorded in Plat Book S.M. 58, Folio 39. Leaving said point for the following 13 courses and distances viz:

- (1) South 60 degrees, 51 minutes, 35 seconds West, 20.00 feet;
- (2) North 63 degrees 43 minutes, 31 seconds West, 37.65 feet;
- (3) North 13 degrees, 23 minutes, 54 seconds West, 51.23 feet;
- (4) North 40 degrees, 39 minutes, 55 seconds West, 21.50 feet;
- (5) North 62 degrees, 42 minutes, 40 seconds West, 36.27 feet;
- (6) South 30 degrees, 19 minutes, 53 seconds West, 105.80 feet;
- (7) Along a curve to the left having a radius of 209.00 feet for a length of 12.01 feet;
- (8) North 30 degrees, 19 minutes, 53 seconds East, 117.45 feet;
- (9) North 12 degrees, 55 minutes, 55 seconds West, 48.16 feet;
- (10) North 77 degrees, 4 minutes, 5 seconds East, 102.44 feet;
- (11) South 10 degrees, 2 minutes, 7 seconds East, 37.86 feet;
- (12) South 9 degrees, 23 minutes, 55 seconds East, 71.95 feet;
- (13) South 5 degrees, 15 minutes, 39 seconds East, 68.00 feet to the point of beginning.

Containing 14,629.47 square feet or 0.336 acres of land more or less.

07-14-88

87-126A

6603 York Road Baltimore, Maryland 21212 (301) 377-2600

IN THE MATTER OF THE APPLICATION
OF REVAL ENTERPRISES, INC. FOR
ZONING VARIANCES ON PROPERTY
LOCATED ON THE NORTHEAST SIDE OF
DEMBEIGH CIRCLE, 600' NORTH OF THE
CENTERLINE OF LAKE AVENUE (912 W. Lake Ave.)
9TH ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT
REVAL ENTERPRISES, INC., PLAINTIFF
ZONING FILE NO. 89-126-A

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
CG Doc. No. 68
Folio No. 370
File No. 89-CG-1970

PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND

THE BOARD OF APPEALS FOR BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William T. Hackett, Arnold G. Foreman and Harry E.

Buchheister, Jr., constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above-entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Commissioner of Baltimore County:

No. 89-126-A

August 10, 1988 Petition of Reval Enterprises, Inc. for window/building to tract boundary of 6' and window to property line of 6' in lieu of the required 35', 30' and 15', respectively.

September 14 and 15, 1988 Publications in newspapers - file.

September 22, 1988 Certificate of Posting of property - file.

September 30, 1988 Comments of Baltimore County Zoning Plans Advisory Committee - file.

October 13, 1988 At 9:00 a.m. hearing held on Petition by the Zoning Commissioner.

October 20, 1988 Order of the Zoning Commissioner that the Petition for Variances be GRANTED with restrictions.

November 18, 1988 Notice of Appeal received from Richard Butchok, President of Lakehurst Community Association.

Reval Enterprises, Inc.
Case No. 89-126-A, File No. 89-CG-1970

April 26, 1989 Hearing on appeal before the Board of Appeals.
May 9, 1989 Opinion and Order of the Board ordering that the Petition for Variances be DENIED.
June 6, 1989 Order for Appeal filed in the Circuit Court for Baltimore County by Thomas N. Biddison, Jr., Esquire on behalf of the Plaintiff.
June 6, 1989 Petition to accompany Order for Appeal filed in the Circuit Court for Baltimore County.
June 12, 1989 Certificate of Notice sent to all interested parties.
September 5, 1989 Transcript of testimony filed.

Appellee's Exhibit No. 1 - Zoning case file.

" " " 2 - Photograph
" " " 3 - First Amended Development Plan of Dembeigh Hill dated October 19, 1988.

Appellants' Exhibit No. 1 - Photograph of view from Whiting dining room and enlargement.

" " " 2 - Resolution and Affidavit.
" " " 3 - A - Photograph of existing structure wing northeast corner proximity to property line.
" " " 3 - B - Photograph of existing structure wing southeast corner proximity to property line.
" " " 3 - C - Photograph of developer's stake for property line reference.
" " " 3 - D - Photograph of developer's stake for property line reference.

" " " 4 - A - Photograph of existing structure from the north and enlargement.
" " " 4 - B - Photograph of view along property line from south and enlargement.
" " " 4 - C - Photograph showing comparative elevations vicinity of property line and enlargement.
" " " 5 - A - Photograph showing saturated areas during wet weather and enlargement.
" " " 5 - B - Photograph of property line from the north and enlargement.
" " " 5 - C - Photograph of view from Bloom kitchen and enlargement.
" " " 5 - D - Photograph showing slope from existing structure to Bloom property and enlargement.
" " " 5 - E & F - Photographs showing slope from north.

Reval Enterprises, Inc.
Case No. 89-126-A, File No. 89-CG-1970

Appellants' Exhibit No. 6 - Correspondence between Mr. Bloom and the Ayl Corporation.

" " " 7 - Resume of James S. Patton, P.E.
" " " 8 - CRG Plan dated July 23, 1987.
" " " 9 - Final Development Plan dated January 5, 1988.
" " " 10 - Plan dated July 14, 1988.
" " " 11 - Plan dated July 23, 1987.
" " " 12 - CRG Minutes dated July 23, 1987.
" " " 13 - CRG Comments dated July 13, 1987.
" " " 14 and 15 - Drawings.

September 5, 1989 Record of Proceedings filed in the Circuit Court for Baltimore County.

Record of Proceedings pursuant to which said Order was entered and upon which said Board acted are hereby forwarded to the Court, together with exhibits entered into evidence before the Board.

Respectfully submitted,

Linda Lee M. Kuszmaul
Linda Lee M. Kuszmaul, Legal Secretary
County Board of Appeals

cc: Thomas N. Biddison, Jr., Esquire
J. Carroll Holzer, Esquire

IN THE MATTER OF
THE APPLICATION OF
REVAL ENTERPRISES, INC.
FOR ZONING VARIANCES ON
PROPERTY LOCATED ON THE
NORTHEAST SIDE OF DEMBEIGH
CIRCLE, 600' NORTH OF THE
CENTERLINE OF LAKE AVENUE
9TH ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
CASE NO: 89CG1970
68/370

MOTION FOR EXTENSION TO FILE RECORD

Appellant, Reval Enterprises, Inc., by and through their attorneys, Thomas N. Biddison, Jr., and Gallagher, Evelius & Jones, moves for an extension to file record and says:

1. Robert Voelkel, principal of Reval Enterprises, Inc., has had a death in his immediate family. Due to his unavailability, under the circumstances, the restraints in processing the transcript prior to the July 6th deadline, warrants Appellant's request for an extension of time to file record.

Thomas N. Biddison, Jr.
Thomas N. Biddison, Jr.
Gallagher, Evelius & Jones
218 North Charles Street
Suite 400
Baltimore, Maryland 21201-4033
(301) 727-7702

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of June, 1989, I mailed, first-class mail, postage prepaid, a copy of the

LOW OFFICE
GALLAGHER, EVELIUS
& JONES
218 NORTH CHARLES STREET
BALTIMORE, MD 21201

IN THE MATTER OF THE APPLICATION
OF REVAL ENTERPRISES, INC. FOR
ZONING VARIANCES ON PROPERTY
LOCATED ON THE NORTHEAST SIDE OF
DEMBEIGH CIRCLE, 600' NORTH OF THE
CENTERLINE OF LAKE AVENUE (912 W. Lake
9TH ELECTION DISTRICT Ave.)
4TH COUNCILMANIC DISTRICT

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

REVAL ENTERPRISES, INC., PLAINTIFF
ZONING FILE NO. 89-126-A

CG Doc. No. 68
Folio No. 370
File No. 89-CG-1970

CERTIFICATE OF NOTICE

Nadain Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hackett, Arnold G. Foreman and Harry E. Buchheister, Jr., constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Reval Enterprises, Inc., 912 W. Lake Avenue, Baltimore, Maryland 21210, Petitioner/Plaintiff; Thomas N. Biddison, Jr., Esquire, Gallagher, Evelius & Jones, 218 N. Charles Street, Suite 400, Baltimore, Maryland 21201-4033, Counsel for the Petitioner/Plaintiff; J. Carroll Holzer, Esquire, 305 W. Chesapeake Avenue, Suite 105, Towson, Maryland 21204, Counsel for Appellants/Protestants; Richard Butchok, et al, Lakehurst Community Association, 6005 Lakehurst Drive, Baltimore, Maryland 21210, Appellants/Protestants and Arnold G. Foreman, Esquire, c/o County Board of Appeals of Baltimore County, 111 W. Chesapeake Avenue, County Office Building, Room 315, Towson, Maryland 21204, a copy of which Notice is attached hereto and prayed that it may be made a part hereof.

Linda Lee M. Kuszmaul
Linda Lee M. Kuszmaul
County Board of Appeals of Baltimore
County, Room 315, County Office Bldg.
Towson, Maryland 21204 (301) 887-3180

Reval Enterprises, Inc.
Case No. 89-126-A, File No. 89-CG-1970

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Reval Enterprises, Inc., 912 W. Lake Avenue, Baltimore, Maryland 21210, Petitioner/Plaintiff; Thomas N. Biddison, Jr., Esquire, Gallagher, Evelius & Jones, 218 N. Charles Street, Suite 400, Baltimore, Maryland 21201-4033, Counsel for the Petitioner/Plaintiff; J. Carroll Holzer, Esquire, 305 W. Chesapeake Avenue, Suite 105, Towson, Maryland 21204, Counsel for Appellants/Protestants; Richard Butchok, et al, Lakehurst Community Association, 6005 Lakehurst Drive, Baltimore, Maryland 21210, Appellants/Protestants and Arnold G. Foreman, Esquire, c/o County Board of Appeals of Baltimore County, 111 W. Chesapeake Avenue, County Office Building, Room 315, Towson, Maryland 21204, on this 12th day of June, 1989.

Linda Lee M. Kuszmaul
Linda Lee M. Kuszmaul, Legal Secretary
County Board of Appeals of Baltimore
County

IN THE MATTER OF
THE APPLICATION OF
REVAL ENTERPRISES, INC.
FOR ZONING VARIANCES ON
PROPERTY LOCATED ON THE
NORTHEAST SIDE OF DEMBEIGH
CIRCLE, 600' NORTH OF THE
CENTERLINE OF LAKE AVENUE
9TH ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO: 89-126-A

ORDER FOR APPEAL

MR. CLERK:

Please enter an appeal on behalf of Reval Enterprises, Inc.

Thomas N. Biddison, Jr.
Thomas N. Biddison, Jr.
Gallagher, Evelius & Jones
218 North Charles Street
Suite 400
Baltimore, Maryland 21201-4033
(301) 727-7702

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that in compliance with Maryland Rule B2c prior to filing this Order for Appeal a copy was ~~mailed~~ ^{delivered} by mailing this 26th day of June, 1989, to the County Board of Appeals of Baltimore County. Copies were also mailed to Carol Holzer, Esquire, Suite 105, 305 W. Chesapeake Avenue, Towson, Maryland 21204, Attorney for Protestants and Peter Zimmerman,

LOW OFFICE
GALLAGHER, EVELIUS
& JONES
218 NORTH CHARLES STREET
BALTIMORE, MD 21201

RECEIVED
6/6/89
COUNTY BOARD OF
APPEALS

IN THE MATTER OF
THE APPLICATION OF
REVAL ENTERPRISES, INC.
FOR ZONING VARIANCES ON
PROPERTY LOCATED ON THE
NORTHEAST SIDE OF DEMBEIGH
CIRCLE, 600' NORTH OF THE
CENTERLINE OF LAKE AVENUE
9TH ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
CASE NO: 89CG1970
68/370

ORDER

It is hereby this 29th day of June 1989, ORDERED that the Appellant's Motion for Extension to File Record is hereby granted. *Record to be filed on or before September 5, 1989.*

William M. Biddison
JUDGE

TNBJR:6176x

True Copy Sent
Per *S. S. S.*
CLERK

LOW OFFICE
GALLAGHER, EVELIUS
& JONES
218 NORTH CHARLES STREET
BALTIMORE, MD 21201

Esquire, Suite 606, 28 W. Allegheny Avenue, Towson, Maryland 21204, Deputy People's Counsel.

Thomas N. Biddison, Jr.
Thomas N. Biddison, Jr.

TNBJR:daw
6/2/89
5703x

LOW OFFICE
GALLAGHER, EVELIUS
& JONES
218 NORTH CHARLES STREET
BALTIMORE, MD 21201